

EXHIBIT A – PROPOSED CONSENT DECREE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

EQUAL EMPLOYMENT	)	
OPPORTUNITY COMMISSION,	)	
	)	
Plaintiff,	)	
	)	Civil Case No. 17-cv-00879-J
and	)	
	)	
WILBERT GLOVER,	)	
	)	
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
HORIZONTAL WELL DRILLERS,	)	
LLC,	)	
	)	
Defendant.	)	

**CONSENT DECREE**

1. Plaintiff Equal Employment Opportunity Commission (“EEOC”) filed this action against Defendant Horizontal Well Drillers, LLC (“HWD”) to enforce provisions of Title I of the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, Title II of the Genetic Information Non-Discrimination Act of 2008, and Title VII of the Civil Rights Act of 1964, to correct alleged unlawful employment actions on the basis of age, disability, and genetic information, and to provide appropriate relief to Charging Party Wilbert Glover and other employees and job applicants harmed as a result of HWD’s alleged unlawful employment actions. Glover intervened in this action on October 30, 2017.

2. In light of the cessation of HWD's business operations and in the interest of reaching a negotiated resolution of this case, the parties agree that this action should be finally resolved by entry of this Decree and that this Decree is fair, reasonable, and not contrary to law.

3. The parties agree to the jurisdiction of this Court over the subject matter of this action and the parties to the case.

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

**MONETARY RELIEF**

4. Judgment is entered in favor of the Commission and Plaintiff-Intervenor and against HWD in the amount of Six Hundred Fifty Thousand Dollars (\$650,000.00).

5. As set forth in a separate Order for Payment and Distribution of Settlement Funds, incorporated by reference, HWD shall pay the full judgment to the Clerk of the Court, who will then distribute One Hundred Fifty Thousand Dollars (\$150,000.00) to Wilbert Glover and his attorneys and Five Hundred Thousand Dollars (\$500,000.00) to other aggrieved individuals identified by the EEOC.

6. In the event of non-payment, it is acknowledged that the monetary relief provided for herein is a debt owed to and collectible by the United States, or its proxy, notwithstanding that Glover or any aggrieved individual is the ultimate beneficiary of such monetary relief.

7. The receipt of monetary relief by any aggrieved individual shall not be conditioned upon his or her agreement to: (a) maintain as confidential the terms of this Decree or the facts of the case; (b) waive his/her statutory right to file a charge for future

conduct with any federal or state anti-discrimination agency; (c) a non-disparagement agreement; (d) execute a general release; or (e) any other terms or conditions not explicitly stated in this Decree.

8. Prior to receiving payment under this Consent Decree, Glover will sign a Settlement Agreement and Release, by and between himself and HWD and which is incorporated by reference, and each aggrieved individual will sign a release in the form of Exhibit 1.

9. By entering into this Consent Decree, the parties intend to resolve only the charge of discrimination filed by Glover, the claims brought by the EEOC, and the claims Glover brought or could have brought in this lawsuit.

10. This Court shall retain jurisdiction to ensure compliance with this Decree.

11. This Decree shall remain in effect until HWD has fulfilled all its terms and all settlement funds have been paid, after which the EEOC and Glover will file a satisfaction of judgment and the case shall be administratively closed.

12. Each party shall bear its own costs.

**IT IS SO ORDERED.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE

ENTERED AND APPROVED:

**FOR PLAINTIFF EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION:**

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General Counsel

GWENDOLYN YOUNG REAMS  
Associate General Counsel

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ATTORNEYS FOR DEFENDANT

EXHIBIT 1

Release

In consideration for at least \$\_\_\_\_\_ paid to me by Horizontal Well Drillers LLC in connection with the resolution of the lawsuit *Equal Employment Opportunity Commission and Wilbert Glover v. Horizontal Well Drillers LLC*, 17-cv-00879-PRW (W.D. Okla.), I waive my right to recover for any claims of age or disability discrimination under the Americans with Disabilities Act of 1990 and the Age Discrimination in Employment Act of 1967, as amended, that I had against Horizontal Well Drillers LLC prior to the date of this release and that were included in the claims alleged in the EEOC's Complaint in the above-referenced lawsuit.

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[Name]